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PATENT APPL. NO. 3474.1000-005 (Formerly NIII)  
DOCKET NO.:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mel Epstein and Kjesten A. Wiig  
Application No.: 10/087,232      Group Art Unit: 1614  
Filed: February 28, 2002      Examiner: Unknown  
Confirmation No.: 1188  
Title: USE OF METHYLPHENIDATE COMPOUNDS TO ENHANCE MEMORY

CERTIFICATE OF MAILING  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202  
on 2-7-03 Jane Morgan  
Date Signature  
JANE MORGAN  
Typed or printed name of person signing certificate

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
  - ☐ a Statement under 37 CFR 1.97(e), as checked below, or
  - ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
  - ☐ a Statement under 37 CFR 1.97(e), as checked below, and
  - ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
  - ☒ Copies of the cited references (AA, AL-AQ, AR-AZ, AR2-AZ2 and AR3-AW3) are enclosed.
  - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
  - ☒ The listed references AA, AL-AQ, AU and AR3-AW3, were cited in the enclosed International Search Report in a related foreign application PCT/US01/26774.
  - ☒ The "concise explanation" requirement (non-English references) for reference AM under 37 CFR 1.98(a)(3) is satisfied by:
    - ☐ the explanation provided on the attached sheet.
    - ☐ the explanation provided in the Specification.
    - ☐ submission of the enclosed International Search Report.
    - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
    - ☒ the enclosed English language abstract on the face of the AM reference.

[ X ] Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

\_\_\_\_\_ U.S. Patent Application No. 09/941,238, by Mel Epstein and Kjesten A. Wiig, filed August 28, 2001, Docket No.: NIIN-P01-010 (3474.1000-002).

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

[ ] A copy of each above-cited application, including the current claims, is enclosed.

[ X ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. 09/941,238, to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

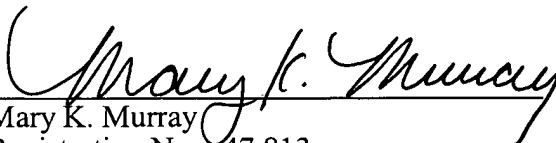
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[ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.

[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Mary K. Murray

Registration No.: 47,813

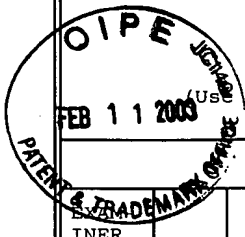
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Concord, MA 01742-9133

Dated: *February 7, 2003*

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 3474.1000-005 (formerly NIIN-P02-010)		APPLICATION NO. 10/087,232				
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  February 4, 2003 (Use several sheets if necessary)		APPLICANT Mel Epstein, et al.						
		FILING DATE February 28, 2002		CONFIRMATION NO. 1188	GROUP 1614			
<b>U.S. PATENT DOCUMENTS</b>								
INER INI- TIAL		DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME				
	AA	6,025,502	February 15, 2000	Winklter et al.				
	AB							
	AC							
	AD							
	AE							
	AF							
	AG							
	AH							
<b>FOREIGN PATENT DOCUMENTS</b>								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AL	WO 99/16439	08 Apr 1999	PCT				
	AM	WO 00/48599	24 Aug 2000	PCT				X
	AN	WO 01/43730 A2	21 Jun 2001	PCT				
	AO	WO 01/78729 A1	25 Oct 2001	PCT				
	AP	EP 0 881 216 A1	02 Dec 1998	Europe				
	AQ	EP 1 163 907 A1	19 Dec 2001	Europe				
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>								
	AR	Aman, M.D., et al., "Methylphenidate and Thioridazine in the Treatment of Intellectually Subaverage Children: Effects on Cognitive-Motor Performance," <i>J. Am. Acad. Child Adolesc. Psychiatry</i> , 30:816-824 (1991).						
	AS	Camp, J.A., et al., "Brainstem Evoked Responses and Short Term Memory in Hyperactive Children: Methylphenidate Dose/Response Relations," <i>Psychophysiology</i> 20(4):434-435 (1983).						
	AT	De Quiros, G.B., et al., "Adult ADHD: Analysis of Self-Ratings on a Behavior Questionnaire," <i>Ann. N.Y. Acad. Sci.</i> , 931:140-147 (2001).						
EXAMINER				DATE CONSIDERED				



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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)				
AU	Evans, R.W., et al., "Methylphenidate and Memory: Dissociated Effects in Hyperactive Children," <i>Psychopharmacology</i> 90:211-216 (1986).			
AV	Frank, Y., "Learning Disabilities: Classification, Clinical Features and Treatment," <i>CNS Drugs</i> , 5(1):24-36 (1996).			
AW	Hinkin, C.H., et al., "Methylphenidate Improves HIV-1-Associated Cognitive Slowing," <i>J. Neuropsychiatry Clin. Neurosci.</i> , 13(2):248-254 (2001).			
AX	Jonkman, L.M., et al., "Attentional Capacity, a Probe ERP Study: Differences Between Children with Attention-Deficit Hyperactivity Disorder and Normal Control Children and Effects of Methylphenidate," <i>Psychophysiology</i> , 37:334-346 (2000).			
AY	Jonkman, L.M., et al., "Perceptual and Response Interference in Children with Attention-Deficit Hyperactivity Disorder, and the Effects of Methylphenidate," <i>Psychophysiology</i> , 36:419-429 (1999).			
AZ	Klorman, R., et al., "Methylphenidate Normalizes Effects of Memory Load and Response Selection on ADHD Adolescents," <i>Psychophysiology</i> , 37: S59 (2000).			
AR2	Mehta, M.A., et al., "Amelioration of Specific Working Memory Deficits by Methylphenidate in a Case of Adult Attention Deficit/Hyperactivity Disorder," <i>J. Psychopharmacol.</i> , 14(3):299-302 (2000).			
AS2	Mehta, M.A., et al., "Methylphenidate Enhances Working Memory by Modulating Discrete Frontal and Parietal Lobe Regions in the Human Brain," <i>J. Neurosci</i> , 20, RC65, pp. 1 of 6 - 6 of 6 (2000).			
AT2	Meyers, C.A., "Neurocognitive Dysfunction in Cancer Patients," <i>Oncology</i> , 14(1):75-79 (2000).			
AU2	Oades, R.D., "Differential Measures of 'Sustained Attention' in Children With Attention-Deficit/Hyperactivity or Tic Disorders: Relations to Monoamine Metabolism," <i>Psychiatry Res.</i> , 93:165-178 (2000).			
AV2	Riordan, H.J., et al., "Neuropsychological Correlates of Methylphenidate Treatment in Adult ADHD With and Without Depression," <i>Arch. Clin. Neuropsychol.</i> , 14:217-233 (1999).			
AW2	Rubia, K., et al., "Mapping Motor Inhibition: Conjunctive Brain Activations across Different Versions of Go/No-Go and Stop Tasks," <i>NeuroImage</i> , 13:250-261 (2001).			
AX2	Thompson, S.J., et al., "Immediate Neurocognitive Effects of Methylphenidate on Learning-Impaired Survivors of Childhood Cancer," <i>J. Clin. Oncology</i> , 19(6):1802-1808 (2001).			
EXAMINER		DATE CONSIDERED		

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February 4, 2003		FILING DATE February 28, 2002		CONFIRMATION NO. 1188	GROUP 1614
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)					
AY2	Unrug, A., et al., "Effects of the Tranquillizer Diazepam and the Stimulant Methylphenidate on Alertness and Memory," <i>Neuropsychobiology</i> , 36:42-48 (1997).				
AZ2	Zeiner, P., et al., "Response to Methylphenidate in Boys with Attention-Deficit Hyperactivity Disorder," <i>Acta Paediatr</i> , 88:298-303 (1999).				
AR3	Yonkov, D.I., "Participation of Cholinergic Mechanisms in the Memory Effects of CNS Stimulants," <i>Adv. Biosci.</i> 59:347-350 (1986).				
AS3	O'Donnell, V.M., et al., "Noradrenergic and Cholinergic Agents in Korsakoff's Syndrome," <i>Clin. Neuropharmacol.</i> 9(1):65-70 (1986).				
AT3	Camp-Bruno, J.A., et al., "Cognitive Effects of Milacemide and Methylphenidate in Healthy Young Adults," <i>Psychopharmacology</i> 115(1-2):46-52 (1994).				
AU3	Jončev, V., et al., "Investigations on Levophacetoperan Effect upon Higher Nervous Activity and Memory," <i>Folia Medica</i> , 9(6):368-372 (1967).				
AV3	Challman, T.D., et al., "Methylphenidate: Its Pharmacology and Uses," <i>Mayo Clin. Proc.</i> 75(7):711-721 (2000).				
AW3	Nicolaus, B.J.R., "Symbiotic Approach to Drug Design," In <i>Decision Making in Drug Research</i> , ed. Franz Gross (New York: Raven Press), pp. 173-186 (1983).				
EXAMINER			DATE CONSIDERED		